

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

April 6, 1999

FROM: EMIL A. MARZULLO, Director
Special Districts Department

**SUBJECT: EMERGENCY WELL REPLACEMENT – COUNTY SERVICE AREA 70,
IMPROVEMENT ZONE J (OAK HILLS)**

RECOMMENDATION: Acting as the governing body of County Service Area 70, Improvement Zone J (Oak Hills):

1. Find that an emergency exists in County Service Area 70, Improvement Zone J (Oak Hills), requiring immediate action to prevent and mitigate the loss or impairment of life, health, property, and essential public services by the replacement of water well No. 3 serving Oak Hills and the families located in the District.
2. Find that the emergency will not permit the delay resulting from a competitive solicitation for bids to replace the water well.
3. Find that awarding a purchase order to Howard Pump Inc. of Barstow, California, to replace the well is necessary to respond to the emergency.
4. Authorize the Director of Purchasing to issue a purchase order, in an amount not to exceed \$50,000 and in accordance with the requirements of Public Contract Code Section 20134(a), to Howard Pump Inc., to replace well No. 3. (4/5 votes required.)
5. Approve \$50,000 increase in appropriations for equipment and direct the Auditor-Controller to make budget adjustments as follows (4/5 votes required):

Increase Equipment	EFO	165	165	440	4040	\$50,000
Decrease Operating Transfers Out	EFO	165	165	530	5030	\$50,000

BACKGROUND INFORMATION: The Special Districts Department operates County Service Area 70-J in Oak Hills. This District provides the water service to the residents of the region. On March 28, 1999, well No. 3 of this system failed due to electric motor casing failure caused by severe corrosion. Subsequent investigation revealed that repair of the well is not possible.

This well failure represents an emergency circumstance to the residents of Oak Hills because this pressure zone of the district does not have a back-up source of water, and the loss of this water source will put the District in a water supply deficit during the coming summer months.

(CONTINUED)

Record of Action of the Board Supervisors

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Pursuant to Public Contract Code Section 22050, the District will report back to the Board on April 21, 1999, and on a BI-weekly basis thereafter regarding the status of this emergency situation.

Section 20134 of the Public Contract Code authorizes the Board of Supervisors to award an emergency contract without going to formal bid. Section 22050 requires that this be accomplished by a four-(4) vote majority of the Board. County Policy Number 11-10 requires Board approval of construction contracts exceeding \$25,000 in value.

REVIEW BY OTHERS: This action has been reviewed by County Counsel (Jean Rene-Basle), Purchasing (Marsha Zeller) and coordinated with the First Supervisorial District.

FINANCIAL IMPACT: The estimated project cost of \$50,000 was not included in the District's FY 98/99 budget. The estimated cost will be funded by the District's capital improvement facility replacement fund.

SUPERVISORIAL DISTRICT(S): First

PRESENTER: Emil A. Marzullo